

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Prohibition & Excise Department - Allegation of Criminal Misconduct and Criminal Conspiracy against Sri P.V.Ramanaiah, P&E Inspector (Retd.) for his involvement in Liquor Syndicate Case – Disciplinary action initiated – Delinquent officer placed on his defence before the Tribunal for Disciplinary proceedings – Orders of Hon'ble High Court dated 24.01.2020 in W.P.No.19385 of 2019 – Implemented – Orders – Issued.

REVENUE (VIGILANCE.II) DEPARTMENT

G.O.Rt.No.140

Dated:22.02.2022
Read the following:

1. From the DG, ACB Lr. No.24/RCO-NPK/2012, dated:12.10.2012.
- 2.Govt. Memo No.46422/Vig.IV(2)/2012-1, Revenue (Vig.V) Dept., dt.16.03.2013.
- 3.Orders of Hon'ble High Court dated 24.01.2020 in W.P.No.19385 of 2019 filed by Sri P.V.Ramanaiah, P&E Inspector (Retd).

O R D E R :

Whereas, it was brought to the notice of the Government that Sri P.V.Ramanaiah, P&E Inspector (Retd), while he was in service is involved in disciplinary case pertaining to liquor syndicate cases of Prakasam District, along with other Prohibition & Excise officials. After conducting detailed enquiry, the Director General, Anti-Corruption Bureau in his final report Dt.12.10.2012 recommended to place Sri P.V.Ramanaiah, P&E Inspector (Retd.) on his defence before Tribunal for Disciplinary Proceedings (TDP), along with other Prohibition & Excise officials.

2. After careful examination of the recommendations of the Director General, ACB, Government have entrusted among others the case of Sri P.V.Ramanaiah, P&E Inspector (Retd.) to the Tribunal for Disciplinary Proceedings (TDP), vide Memo 2nd read above. Further Part-B Notes duly signed by the competent authority were sent to the TDP for regular Inquiry on 29.06.2013. Charge Memo was issued by the Tribunal Enquiry Case No.554 of 2013, dated: 30-11-2018 (Served on 15.12.2018). Enquiry Report from the Tribunal for Disciplinary Proceedings is awaited.

3. Sri P.V.Ramanaiah, P&E Inspector (Retd.) has filed W.P.No.19385 of 2019 before the Hon'ble High Court with a prayer to set aside the above said charge memo and requested for pensionary benefits. The Hon'ble High Court in its orders dated: 24.01.2020 in W.P.No.19385 of 2019 is pleased to pass the following order (operative part):

" Admittedly, in this case, the charges pertain to the period of more than four years prior to the retirement of the petitioner. Hence, in view of the above circumstances, this Court opines that the charge memo dated 30.8.2018 is liable to be quashed.

In the result, the writ petition is disposed of, quashing the charge memo dated 30.8.2018 issued against the petitioner. Accordingly, the petitioner would be entitled to all consequential pensionary and the retirement benefits.

(P.T.O)

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In view of the above, the Writ Petition is allowed quashing the charge memo, issued by the Tribunal for Disciplinary Proceedings, Hyderabad, in Tribunal Enquiry Case No.560 of 2013 dated 22.03.2019, and the petitioner is entitled to all consequential pensionary and other retirement benefits. No order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed."

4. Government have filed Writ Appeal No.473/2021 against the orders dated:24.01.2020 of the Hon'ble High Court in W.P.No.19385/2019 before Hon'ble High Court. The same was dismissed by the Hon'ble High Court on 16.09.2021.

5. Government, after careful examination of the matter, and in compliance and due respect to the orders dated:24.01.2020 of the Hon'ble High Court of A.P passed in W.P.No.19385 of 2019, hereby release all pensionary and retirement benefits to Sri P.V.Ramanaiah, P&E Inspector (Retd), subject to outcome of the Appeal, if any to be filed in the Hon'ble Supreme Court of India.

6. The Commissioner of Prohibition and Excise, A.P., Vijayawada shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri P.V.Ramanaiah, P&E Inspector (Retd.)

(through the Commissioner, Proh. & Excise, A.P., Vijayawada)

The Commissioner, Proh. & Excise, A.P., Vijayawada.

Copy to:

The Secretary, Tribunal for Disciplinary Proceedings, A.P., Hyderabad.

The Director General, ACB, A.P., Vijayawada.

The Secretary to VC, APVC, A.P.Secretariat, Velagapudi.

The Principal Accountant General (A&E), A.P., Vijayawada.

The Director of Treasuries and Accounts, A.P. Vijayawada.

The G.P. for Services-I, High Court of A.P., Amaravati.

Sf/Sc

// FORWARDED :: BY ORDER //

M. Kumar
SECTION OFFICER
SD

Dispatched through post to the concerned authorities